

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

09/15/04 P 1:26

MARK M. THORNTON,  
Plaintiff,

v.

NORTHEAST BUILDERS TRANSPORT,  
INC. and BARRY N. EHRSTEIN,  
Defendants.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

C.A. NO.: 03-CV-12521-RGS

**JOINT MOTION TO EXTEND DISCOVERY DEADLINE**

The parties to this action hereby move this Honorable Court to amend the discovery deadline imposed by the Court at the Scheduling Conference by extending the time for discovery until November 30, 2004.

This case arises out of a motor vehicle accident that occurred on January 22, 2001 at the intersection of Fellsway and Mystic Avenue in Somerville, Massachusetts. The plaintiff has alleged he suffered various bodily injuries and neurological damage as a result of this accident.

In support of this Motion, the parties state that they are actively engaged in discovery. The defendant has requested documents from plaintiff's employer and family therapist, however, it has taken longer than anticipated for the documents to be compiled and sent to defendant. Defendant has still not received the requested documents. The requested documents are needed by the defendant's medical expert so that she may conduct a thorough analysis of the plaintiff's medical condition. Further, examination of plaintiff by defendant's medical expert may be necessary. Therefore, an extension is sought so that the defendant may have additional time to obtain the necessary records. The parties agree that additional time to perform discovery may facilitate the resolution of issues prior to trial. In addition, no party will endure prejudice should

the Court continue the discovery deadline as requested in this motion and beyond the dates identified by the Court at the Schcduling Conference.

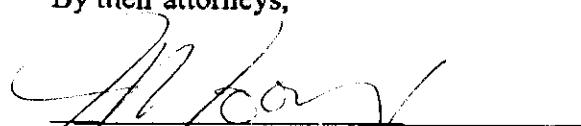
WHEREFORE, the parties respectfully request this Honorable Court to extend the discovery deadline until November 30, 2004.

Plaintiff,  
Mark M. Thornton  
By his attorney,



William H. Barry III, BBO #545547  
Barry Law Office  
255 Main Street  
Nashua, New Hampshire 03060  
603-883-0474

Defendants,  
Northeast Builders Transport, Inc. and  
Barry N. Ehrstein,  
By their attorneys,



Michael B. Weinberg, BBO # 519500  
Jessica L. Mooney, BBO # 658822  
DONOVAN HATEM LLP  
Two Seaport Lane  
Boston, MA 02210  
617-406-4500

Dated: September 14, 2004

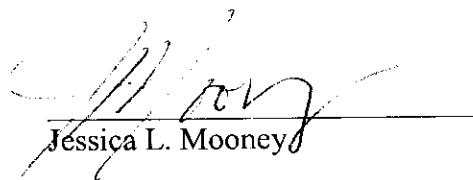
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**CERTIFICATE OF SERVICE**

I, Jessica L. Mooney, hereby certify that on this day I caused a copy of the foregoing to be sent by first class mail, postage prepaid to the following counsel of record:

William H. Barry, III, Esq.  
Barry Law Office  
255 Main Street  
Nashua, New Hampshire 03060

Dated: September 14, 2004



Jessica L. Mooney

A handwritten signature in black ink, appearing to read "Jessica L. Mooney". It is written in a cursive style with a horizontal line underneath it.